

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00122

PAUL STONE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On March 14, 2013, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Paul Stone, appeared in person and by his counsel, Rhett H. Johnson, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by Supervising United States Probation Officer Keith E. Zutaut, the defendant having commenced a three-year term of supervised release in this action on December 23, 2010, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on December 8, 2008.

The court heard the admissions of the defendant and the representations and argument of counsel.

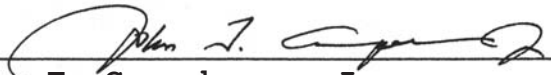
For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant committed the federal, state and local offense of simple possession of oxycodone as evidenced by his guilty plea on November 1, 2012, in the Circuit Court of Kanawha County, for which he received a sentence of 60 days of probation; and (2) that the defendant used and possessed marijuana as evidenced by positive urine specimens submitted by him on February 2, September 29 and December 12, 2011; all as admitted by him on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of ONE (1) DAY, to be followed by a term of two (2) years of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he be placed on home confinement for a period of ONE (1) YEAR, during which time the defendant shall remain continuously at his residence except for the following approved absences: (a) medical appointments; (b) medical emergency; (c) urinalysis testing; and (d) any other purpose which has the prior approval of the probation officer.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 1, 2013



John T. Copenhaver, Jr.
United States District Judge